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 State President

# INTEGRITY IN SPORT

## Policy Statement

DrillDance Queensland and its Clubs have a major obligation to protect and maintain the integrity of DrillDance as well as the health and wellbeing of members.

## Guiding principles

DrillDance Queensland is committed to the highest standards of conduct and ethical behaviour in all of its activities, and to promoting and supporting a culture of honest and ethical behaviour both on and off the field, corporate compliance and good corporate governance.

Integrity in DrillDance encompasses all of the elements needed to preserve what is intrinsically valuable and to uphold the principles of fairness, respect, responsibility and safety. The main elements include the Member Protection Policy and this Integrity in DrillDance Queensland Framework and associated Rules and Reporting Conduct That May Bring DrillDance into Disrepute Rule.

DrillDance Queensland will engage necessary technical expertise to administer, monitor and enforce this Framework and Rules.

Nothing in this Framework or Rules limits the application of Commonwealth, State and Territory laws or the ability of DrillDance Queensland to refer such issues to the police or other relevant authorities.

This Framework and Rules are an important part of a comprehensive set of behavioural standards, responsibilities and practices. A Person who is investigated or sanctioned under this Framework and Rules may also be investigated and sanctioned under other applicable agreements, rules and policies.

## Definitions

The DrillDance Queensland Board of Management to formulate, approve, issue, adopt, interpret and amend such policies, procedures, rules, by-laws, and regulations as appropriate to better regulate DrillDance; and to promote and secure uniformity in such rules and standards as may be necessary for the management of DrillDance nationally.

This Framework and Rules may be amended from time to time by the DrillDance Queensland BOM.

The conduct prohibited under this Framework and Rules may also be a criminal offence and/or a breach of other applicable laws or regulations. This Framework and Rules are intended to supplement such laws and regulations. They are not intended, and should not be interpreted, construed or applied, to prejudice or undermine in any way the application of such laws and regulations. Members must comply with all applicable laws and regulations at all times.

Each Rule attached to this Framework indicates who the Rule Applies to.

- The emphasis is on Persons that fall under the direct jurisdiction and control of DrillDance Queensland.
- Notwithstanding, all Persons are automatically bound by and required to comply with all of the provisions of this Framework and the Rules that are applicable and relevant to them. Accordingly, all Persons shall be deemed to accept all terms set out herein and have agreed:
- For purposes of applicable data protection and other laws and for all other purposes, to have consented to the collection, processing, disclosure and use of information relating to her/himself and her/his activities, including personal information relating to her/himself and her/his activities, to the extent expressly permitted under the terms of this Framework and Rules.
- That it is their Personal responsibility to familiarise themselves and be knowledgeable with all of the requirements of this Framework and the Rules that are applicable
- Comply with anti-doping policies applicable to them and be mindful of the World Anti-Doping Agency Code.
- Act in a discrete and confidential manner in discharging their obligations under this Framework and Rules



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Persons to whom this Framework and Rules apply must not:

- Give any false or misleading evidence to any hearing, investigation, inquiry or appeal conducted under this Framework and Rules.
- Make any false or misleading statement or declaration in connection with the administration or control of this Framework and Rules.
- Obstruct, delay or hinder DrillDance Queensland's Nominated Delegate in connection with the performance of her/his duties in the connection with the administration or control of this Framework and Rules.
- Attend an interview to answer questions by giving required information and producing documents etc.

## Reporting Process

- A Person must promptly notify if they are interviewed as a suspect, charged, or arrested by police in respect of conduct that may be a breach of this Framework and Rules.
- A Person must promptly notify that she/ he has received an approach from another Person to engage in conduct that may be a breach of this Framework and Rules.
- A Person must promptly notify that she/ he knows or reasonably suspects that any Person has engaged in conduct, or may engage in conduct or has been approached to engage in conduct that may be a breach of this Framework and Rules.
- A Person shall have a continuing obligation to report any new knowledge or suspicion regarding any conduct that may be a breach of this Framework and Rules even if the Person's prior knowledge or suspicion has already been reported.
- Such notification or disclosure must be submitted on the required DrillDance Australia forms. It should include information that is factually accurate, complete, from first-hand knowledge, presented in an unbiased way, and without omission to allow for a reasonable investigation to take place.
- Reports should be made in good faith; acting honestly, ethically and in the best interests of DrillDance Queensland.

## Privilege

- A Person interviewed under suspicion, charged or arrested by a law enforcement agency in respect of a criminal offence shall not be required to produce any information, give any evidence or make any statement if they establish that to do so would breach any privilege against self-incrimination, or legal professional privilege.

## Hearings

- The Hearings Panel shall hear and determine the alleged offence in whatever manner it considers appropriate in the circumstances (including by way of teleconference, video conference or otherwise) provided that it does so in accordance with procedural fairness, such as a hearing appropriate to the circumstances; lack of bias; inquiry into matters in dispute; and evidence to support a decision.
- The purpose of the hearing shall be to determine whether the Person has committed an offence under the Framework and Rules. If the Hearings Panel considers that the Person has committed an offence under this Framework and Rules, it may impose a penalty.
- The parties to the hearing shall include, the Nominated Delegate, the Person and their representative if so elected, a representative from DrillDance Queensland and any witnesses which any such party wishes to have participate in the hearing.
- The Hearings Panel shall decide on the balance of probabilities whether the Person has committed an offence under this Framework and Rules.




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- Non-attendance of the Person or her/his representative at the hearing, after proper notice of the hearing has been provided, shall not prevent the Hearings Panel from proceeding with the hearing in her/his absence, whether or not any written submissions was made.
- The hearing shall be closed to the public. Only persons with a legitimate interest in the hearing will be permitted to attend. This will be at the sole discretion of the Hearings Panel.
- The decision of the Hearings Panel shall be a majority decision.

## Appeals

- The Person, DrillDance Queensland and or the Member Organisations have a right to appeal the decision of the Hearings Panel.
- Any appeal must be lodged in writing, with the DrillDance Queensland BOM, within 14 business days of the decision. The appeal must specify the grounds for the appeal.
- The Appeals Tribunal will not interfere with the Hearing Panel's decision unless it was clearly wrong, or the fairness of the process overall was not followed correctly, or that the relevant evidence was not taken into account, or a decision was reached that no reasonable Hearing Panel could have reached when faced with the evidence before it.
- The Appeals Tribunal shall investigate and consider the matter determining whether the matter should be dismissed because there is no credible evidence, submission or argument to satisfy the grounds of the appeal; or

## Confidentiality and Reporting

- DrillDance Queensland will adopt Privacy Principles consistent with the Privacy Act to the extent applicable to DrillDance Queensland.
- DrillDance Queensland will act in a discreet and confidential manner in relation to all information relating to this Framework and Rules and associated programs.
- To maintain the confidentiality of the process, no parties will publically announce, comment on or confirm any of its investigative, hearings or appeals activities. Notwithstanding, general description of process is permissible.

## Statute of Limitations

- No proceedings may be commenced against Person unless s/he has been notified, or notification has been reasonably attempted, within ten years from the date the offence is asserted to have occurred.
- Headings used in this Framework and Rules are for convenience only and shall not be deemed part of the substance of this Framework and Rules or to affect in any way the language of the provisions to which they refer.
- Words in the singular include the plural and vice versa.

## Definitions

In this Framework and Rules unless the context requires otherwise these words mean:

**Administration** - Providing, supplying, supervising, facilitating, or otherwise participating in the Use or attempted use by another Person of any of the substances or class of substances set out in this Framework and Rules. However, this definition shall not include genuine and legal therapeutic purposes or other acceptable justification.

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Approved For Issue by



State President

**Coaches** - As described in DrillDance Queensland's Coach Education Framework as amended and updated from time to time.

**Codes of Conduct** – DrillDance Australia's Codes of Conduct, as amended from time to time.

**Nominated Delegate** - The President who has been delegated authority by the DrillDance Queensland BOM implement, monitor and evaluate this Framework and Rules.

**Judges / Officials** - As described in DrillDance Queensland's Judging Education Framework as amended and updated from time to time.

## Reference

*©Australian Sports Commission 2000*

*Play by the Rules*

*Constitution & By Laws – DrillDance Queensland Incorporated*

*Constitution & By Laws – DrillDance Australia*

## Contact

State Secretary

**Developed:** July 2016

**Reviewed:** Dec 2017